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2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 MUHAMMED TILLISY,

7 Petitioner,

8 v.

9 UNITED STATES OF AMERICA,

10 Respondent.

C17-437 TSZ

[related to CR09-269 MJP]

MINUTE ORDER

11 The following Minute Order is made by direction of the Court, the Honorable
Thomas S. Zilly, United States District Judge:

12 (1) On or before November 10, 2017, the parties shall file briefs, not to exceed
13 ten (10) pages in length, addressing the following issues: (i) whether the Court has
14 jurisdiction to consider petitioner's motion under 28 U.S.C. § 2255 given that petitioner
15 is currently in the custody of the Washington State Department of Corrections and is not
16 presently serving the sentence being challenged; *see* 28 U.S.C. § 2255; *Heflin v. United*
17 *States*, 358 U.S. 415 (1959); *Miller v. United States*, 256 F.2d 501 (9th Cir. 1958); *see*
also Rule 1(b) of the Rules Governing § 2255 Proceedings; (ii) whether petitioner's
§ 2255 motion is time barred; (iii) whether the motion constitutes a second or successive
motion; and (iv) whether petitioner waived his right to bring a § 2255 motion, as
indicated in the Order entered April 12, 2011, docket no. 152 in CR09-269 MJP.

18 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
19 record and to petitioner pro se, DOC No. 870270, at both Washington State Penitentiary
in Walla Walla, WA (as reflected in the docket) and Monroe Correctional Complex-TRU,
at P.O. Box 888, Monroe, WA 98272.

20 Dated this 20th day of September, 2017.

21 William M. McCool
Clerk

22 s/Karen Dews
23 Deputy Clerk